

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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REGGIE VEGA, *pro se*

Petitioner,

-against-

THOMAS GRIFFIN,
Superintendent of Green Haven
Correctional Facility,

Respondent.
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ORDER

14-CV-7479 (KAM)

KIYO A. MATSUMOTO, United States District Judge:

The Court has reviewed this *habeas corpus* petition pursuant to Rule 4 of the Rules Governing Section 2254 Cases in the United States District Court. Having concluded that the petition should not be summarily dismissed pursuant to Rule 4, it is

ORDERED that respondent shall file electronically a **complete and entire** answer or other pleading in response to the petition within sixty (60) days of the date of this order, and it is further

ORDERED that, pursuant to Rule 5 of the Rules Governing Section 2254 Cases, respondent shall address in the answer whether petitioner has exhausted state remedies, and it is further

ORDERED that respondent shall file electronically with the answer, the State Court Record, with no individual attachment to the entry exceeding 5 megabytes, and shall supply a hard copy of the State Court Record to Chambers, which shall be clearly marked “Courtesy Copy,

original filed in ECF, docket number ____.” The State Court Record shall include copies of the trial transcript, State court briefs and any supporting papers of both the People and the defendant on direct appeal and on any post-trial motions or motions brought in any collateral proceeding, and on any appeal of such motions, as well as copies of any orders disposing of any motions, **or a sworn detailed statement as to why all of these documents are not being submitted**, and it is further

ORDERED that, pursuant to Rule 4 of the Rules Governing Section 2254 Cases, the Clerk of the Court shall serve, by certified mail, copies of this Order and the petition for a writ of *habeas corpus* upon the Attorney General of the State of New York and the District Attorney for Queens County, and it is further

ORDERED that, pursuant to Rule 5(e) of the Rules Governing Section 2254 Cases, petitioner shall file any reply to respondent’s answer within thirty (30) days of the filing of the answer, and it is further

ORDERED that petitioner is granted leave to proceed without being required to prepay fees or costs, or give security therefor, and it is further

ORDERED that, within ten (10) days of the date of this Order, respondent shall serve a copy of this order upon petitioner, and file proof of service of the same with the Clerk of the Court.

IT IS SO ORDERED.

Dated: Brooklyn, New York
December 29, 2014

/s/

KIYO A. MATSUMOTO
United States District Judge
Eastern District of New York